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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/461,738	12/16/1999	HIROOMI MOTOHASHI	0557-4875-2	4201

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EXAMINER	
WALLERSON, MARK E	
ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/461,738	MOTOHASHI ET AL.	
	Examiner	Art Unit	
	Mark E. Wallerson	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 June 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *7-15,22-27,34-40 and 53-55* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *7-15,22-27,34-40 and 53-55* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Part III DETAILED ACTION

Notice to Applicant(s)

1. This action is responsive to the following communications: amendment filed on **6/17/2005.**

2. This application has been reconsidered. Claims 7-15, 22-27, 34-40, and 53-55 are pending.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 7, 9, 22, 24, 25, 27, 34, 35, 36, 37, 38, 39, 40, 53, and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitamura et al (Kitamura) (U.S. 6,400,463) in view of Sugishima et al (Sugishima) (U.S. 4,797,706).

With respect to claims 7, 22, 25, 34, 36, 38, and 53, Kitamura discloses an image formation system (figure 1) having a link copy mode (the abstract) in which a plurality of image forming apparatuses connected to each other for enabling data communications (1001-1004), an image formation apparatus (1001) functioning as a master machine reads an image of a document to be copied (column 19, lines 27-50), the read image is transmitted to at least one other image formation apparatus functioning as a slave machine and printing of the reads image is shared by the master and slave machine (column 19, lines 27-50 and column 21, lines 6-10),

wherein the slave machine is configured to report functions available in the slave machine to the master machine (column 5, lines 14-37), and the master machine is configured to inhibit operation in the link copy mode when an unusable function is selected (short of paper) is selected after the link copy mode has been selected (column 20, line 60 to column 21, line 5).

Kitamura differs from claims 7, 22, 25, 34, 36, 38, and 53 in that he does not clearly disclose the unusable function is a function which either the master machine or the slave machine is unable to execute.

Sugishima discloses inhibiting copying when functions in a designated printer cannot be executed (column 11, lines 43-57 and column 12, lines 34-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kitamura wherein the unusable function is one which either the master or slave machine is unable to execute. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kitamura by the teaching of Sugishima in order to provide ease of operation for the user.

Further with respect to claims 22 and 25, Kitamura discloses a mode for executing a non-executable (short of paper) is cancelled when the link copy mode is selected (column 20, line 60 to column 21, line 5).

Further with respect to claim 36, Kitamura discloses an image read and transferred from the other image formation apparatus is printed in the local image forming apparatus (column 7, lines 50-60 and column 18, lines 28-36).

With regard to claims 9, 24, 27, 35, 37, 40, and 55, Kitamura discloses the master image forming apparatus is connected to the other image forming apparatus peer to peer (which reads on master to slave) (figure 1).

With respect to claims 39 and 54, Kitamura discloses the slave machine periodically transmits a connection signal to the master machine and the master machine receives the signal and determines whether the slave machine is ready for communication (column 5, lines 22-37).

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 8, 23, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitamura in view of Sugishima as applied to claims 7, 22, and 25 above, and further in view of Nakai (U.S. 6,081,342).

With respect to claims 8, 23, and 26, Kitamura as modified differs from claims 8, 23, and 26 in that he does not clearly disclose the function includes stapling.

Nakai discloses an image forming system wherein plural image forming apparatuses transmit image data to each other and the functions of the image forming apparatus includes stapling (figure 8(b)). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kitamura as modified wherein the function includes stapling. It would have been obvious to one of ordinary skill in the art at the time of the

invention to have modified Kitamura as modified by the teaching of Nakai in order to improve the efficiency of the system.

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 10, 12, 13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitamura in view of Sugishima et al (Sugishima) (U.S. 4,797,706).

With respect to claims 10 and 13, Kitamura discloses an image forming apparatus (1001) connected to at least one other image forming apparatus (1002-1004) such that communication can be executed between the two image forming apparatuses (the abstract) comprising a reading unit (351) which reads an image of a document; a printing unit (352) which prints the read image; a display unit (figure 6) which displays keys used for selecting a function; a controller (603) which executes a link copy mode in which the read image is transferred to the other image forming apparatus for sharing of the printing of the read image (column 21, lines 6-10).

Kitamura differs from claims 10 and 13 in that he does not clearly disclose that if the link mode is selected, then a key to permit selection of the unusable function is not displayed after the link copy mode is selected when the image forming apparatus does not receive a signal indicating that a finisher is connected to the image forming apparatus.

Sugishima discloses a multi-unit image processing system wherein when the link mode (multi mode) is selected, then a key for selecting an unusable function (paper size not set in the printers) is not displayed (column 18, lines 12-18) when the image forming apparatus does not receive a signal indicating that a finisher is connected to the image forming apparatus (column 13, lines 44-67 and figure 14-2). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kitamura wherein if the link mode is selected, then a key for selecting an unusable function is not displayed when the image forming apparatus does not receive a signal indicating that a finisher is connected to the image forming apparatus. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kitamura by the teaching of Sugishima in order to more effectively utilize the plural readers, so that if any printer is not available, the cause for this can be clearly determined and countermeasures can be taken immediately as disclosed by Sugishima in column 25, lines 27-30.

With regard to claim 12 and 15, Kitamura discloses the master image forming apparatus is connected to the other image forming apparatus peer to peer (which reads on master to slave) (figure 1).

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claims 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitamura in view of Sugishima as applied to claims 7, 22, and 25 above, and further in view of Nakai (U.S. 6,081,342).

With respect to claims 11 and 14, Kitamura as modified differs from claims 11 and 14 in that he does not clearly disclose the function includes stapling.

Nakai discloses an image forming system wherein plural image forming apparatuses transmit image data to each other and the functions of the image forming apparatus includes stapling (figure 8(b)). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kitamura as modified wherein the function includes stapling. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kitamura as modified by the teaching of Nakai in order to improve the efficiency of the system.

Response to Arguments

11. Applicant's arguments with respect to claims 7-15, 22-27, 34-40, and 53-55 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark E. Wallerson whose telephone number is (571) 272-7470. The examiner can normally be reached on Monday-Friday - 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark E. Wallerson
Primary Examiner
Art Unit 2626

MARK WALLERSON
PRIMARY EXAMINER